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SUBJECT: TAJIBAYEVA TRIAL OPENS WITH CHARGES OF U.S. AND  
FRENCH SUPPORT

CLASSIFIED BY AMB. JON R. PURNELL, FOR REASONS 1.4 (B, D).

REF: 05 TASHKENT 2739

¶1. (C) Summary: The trial of human rights activist Mutabar Tajibayeva opened in a small town near Tashkent on January 30. The charges against her include having received funding from the U.S. and French Embassies, which she used to distribute literature intended to sow panic among the populace. The indictment does not fault Tajibayeva for receiving the grants, only for "misusing" them and failing to pay taxes on the income. However, the accusation suggests that foreign funding for local NGOs, and perhaps Western intent to "destabilize" the government, could come up in the trial itself. End summary.

¶2. (C) The trial of Margilon-based human rights activist Mutabar Tajibayeva opened on January 30 in lower Chirchik District Criminal Court, located in the small town of Dustobod about 45 miles from Tashkent. According to Human Rights Watch staff who attempted to attend the trial, police were reportedly searching all cars entering Dustobod, and denying entry into the town to international and domestic trial monitors. Human Rights Watch representatives were not allowed to enter the town. In the hearing, presiding judge Abdulaziz Yuldoshev reportedly postponed the trial until January 31 to give Tajibayeva further opportunity to familiarize herself with the indictment.

¶3. (C) Included in the 39-page indictment, of which Post obtained a copy, is the accusation that, "...in starting the activity of her illegally organized civic organization, Burning Hearts, she received \$5,620 in financial aid from the U.S. Agency for International Development and \$200 from the French Embassy and misused it to distribute materials which were intended to threaten public safety and order, spread panic among the populace, and use slander and rumors to disturb the peace and destabilize the situation..." The indictment also accuses her of failing to pay required taxes on the grant income.

¶4. (C) In March 2002, through the Embassy's Democracy Commission program (Note: Not USAID. End note.), Tajibayeva received a grant of exactly \$5,620 to conduct trial monitoring in the Ferghana Valley. During the one-year grant period, she failed to submit timely activity reports, and the grant was not renewed. The French DCM recently told officials that the \$200 from the French Embassy noted in the indictment was likely a personal gift from his predecessor. Tajibayeva was attempting to monitor the trial of accused Akromiylar members in Andijon when the May 2005 unrest broke out.

15. (C) Comment: Tajibayeva's case began with a charge of extortion based on a dubious complaint from a man who bought and sold fish from Tajibayeva's fishing farm. It has since been transformed into a mass of allegations accusing her of spreading lies in attempts to subvert the government. In the first Andijon-related trial of terrorist suspects, GOU statements suggested the United States and other Western governments were trying to use human rights NGOs to spread public disorder and destabilize Uzbekistan. In light of those accusations, it is interesting that the charges against Tajiboyeva specifically mention "misusing" U.S. and French funds, not simply accepting them. That said, the fact that U.S. funds are mentioned in the charges at all means that foreign funding for local NGOs, and perhaps even Western intent to "destabilize" the government, may come up in the trial itself.

PURNELL